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Bexar County Sheriff's Office
Ralph Lopez, Sheriff

May 16, 2000

RE: PR Docket #92-169

RECEIVED

Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-204B
Washington, DC 20554

MAY 23 2000

FCC MAIL ROOM

Dear FCC Secretary:

The Region 53, Public Safety Communications Plan (Plan) was developed in response to Congressional directives to establish guidelines for the use of the spectrum and to set guidelines to be followed in allotting spectrum to meet the mobile communications requirements of the public safety and special emergency entities operating in the region. Region 53 developed its regional plan to meet the needs of the public safety community within its region.

The Region 53 NPSPAC Review Committee seeks to reallocate frequencies in order to address channels currently reserved for statewide use to be transferred into the general access pool because these channels are unused. This will also bring Region 53 in line with Regions 40 and 51, which has been granted such authorization. After the transfer, these channels would be available to satisfy requirements of communities within Region 53.

Channels requested for return to the general access pool are:

CH	Frequency	CH	Frequency	CH	Frequency
602	866/821.0375	603	866/821.5000	604	866/821.0625
605	866/821.0750	635	866/821.4500	636	866/821.4625
637	866/821.4750	638	866/821.4875	640	866/821.5375
641	866/821.5500	642	866/821.5625	643	866/821.5750
673	866/821.9500	674	866/821.9625	675	866/821.9750
676	866/821.9875	678	867/822.0375	679	867/822.0500
680	867/822.0625	681	867/822.0750	711	867/822.4500
712	867/822.4625	713	867/822.4750	714	867/822.4875
716	867/822.5375	717	867/822.5500	718	867/822.5625
719	867/822.5750	749	867/822.9500	750	867/822.9625
751	867/822.9750	752	867/822.9875	745	868/823.0375
746	868/823.0500	747	868/823.0625	748	868/823.0750
825	868/823.9250	826	868/823.9375	827	868/823.9500
828	868/823.9625	829	868/823.9750		

Sincerely,

Robert M. Adelman, Chairman
Region 53 NPSPAC Planning Committee

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List A B C D E

cc: Mr. Ken Yoder



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Dear FCC Secretary:

The Region 53 NPSPAC Planning Committee held meetings on April 6, 2000, and May 11, 2000. The purpose of these two meetings was twofold. It was to review two applications, which were approved, and to discuss the creation and adoption of new Bylaws. After careful discussion and review, the Committee voted to approve the new Bylaws and incorporate them into our Region 53 Communications Plan.

As chairman of the Region 53 NPSPAC Planning Committee, I would ask that you review the attached document and approve the Bylaws as written. The Committee put a substantial amount of time and effort in developing these new bylaws and feels that they will significantly enhance the effectiveness and standing of the Committee in the Region. We feel that the arrangement of members on the Committee needed some help and that these new Bylaws will provide better stability and will provide for a better, more true representation of public safety agencies in our Region.

Sincerely,

Robert M. Adelman, Chairman
Region 53 NPSPAC Planning Committee

cc: Mr. Ken Yoder

REGION 53 - NATIONAL PUBLIC SAFETY PLANNING ADVISORY COMMITTEE BYLAWS

ARTICLE I. NAME

The name of the Committee shall be the Region 53 - National Public Safety Planning Advisory Committee (NPSPAC), hereinafter called the "COMMITTEE".

ARTICLE II. AUTHORITY

The COMMITTEE members shall be appointed by the Alamo Area Council of Governments, City of San Antonio, Coastal Bend Council of Governments; County of Bexar, Golden Crescent Regional Planning Commission, Lower Rio Grande Valley Development Council, Middle Rio Grande Development Council, and the South Texas Development Council comprising Region 53 and serve at the pleasure of the appointing bodies.

ARTICLE III. PURPOSE

The purpose of the COMMITTEE shall be as outlined in the Public Safety Radio Communications Plan – Region 53, and shall include:

1. Serving as the National Public Safety Radio Committee – Region 53 Planning Committee.
2. Implementing the Public Safety Radio Communications Plan for the efficient use of public safety radio frequencies in the 800 MHz Spectrum for use by public safety and other eligible agencies within the 47-county Central and South Texas Region 53 planning area.
3. Providing, when appropriate and practical, technical assistance to public safety and other eligible agencies during the implementation of the Regional Plan.
4. Establishing a process for the review of applications for new frequencies in the 821-824/866-869 MHz band, as well as recommending reassignment of existing lower band frequencies which may be relinquished by public safety and other eligible agencies.
5. Recommending amendments to the Regional Plan as necessary to accommodate the radio frequency needs of public safety and other eligible agencies within Region 53.
6. Conducting evaluations of the Regional Plan's implementation to determine whether or not its objectives are being met.

ARTICLE IV. MEMBERSHIP

Section 1. Members:

Voting Members. The COMMITTEE shall consist of sixteen (16) voting members. This number, sixteen (16), includes two (2) appointees from each of the following: Alamo Area Council of Governments, City of San Antonio, Coastal Bend Council of Governments, County

of Bexar, Golden Crescent Regional Planning Commission, Lower Rio Grande Valley Development Council, Middle Rio Grande Development Council, and the South Texas Development Council.

- a. **Qualifications:** All voting members will be employees of official entities responsible under Texas law for the preservation of life and property as a matter of public safety. The majority of the Committee members should have technical experience in the area of public safety communications.
- b. **Terms of Membership:** Members serve at the pleasure of their respective appointing bodies for as long as such entities so choose.
- c. **Vacancies:** In the event of a vacancy on the Committee, the entity from whose area the vacancy occurred will appoint a member for the balance of the unexpired term. The member so appointed will be eligible for reappointment.
- d. **Conflicts of Interest:** A Committee member will not be eligible to vote on a request for frequencies submitted by an entity with which the Committee member has a significant relationship, e.g., employer/employee, contractor/consultant. However, this provision does not deny any member the right to comment on any such request.
- e. **Alternates:** A voting member who cannot attend a meeting of the COMMITTEE may authorize an alternate in writing. The alternate shall present a signed and dated written authorization to the COMMITTEE Chair on or prior to the day of the meeting. The COMMITTEE Chair has the authority to deny the alternate a vote if the written authorization is incomplete.

Resource Members. Individuals may be requested to serve on the COMMITTEE as resource members because of their special knowledge or expertise in the area of public safety radio communications. Resource members will not be entitled to vote on issues considered by the COMMITTEE.

Ex-Officio Members. The Associated Public Safety Communications Officers, Inc., (APCO) frequency advisor responsible for Region 53 will serve as an ex-officio, nonvoting member of the COMMITTEE.

Section 2. Officers:

The COMMITTEE shall have two officers, a chairman and a vice-chairman.

Chairman. The COMMITTEE Chairman will be appointed by Bexar County initially. The Chairman will be an ex-officio, nonvoting member of any subcommittee formed by the COMMITTEE. The Chairman will carry out the normal responsibilities associated with the position, e.g., designating subcommittees, appointing subcommittee officers and members, presiding at COMMITTEE meetings, etc.

Vice-Chairman. The Vice-Chairman will be appointed by the City of San Antonio initially. The Vice-Chairman will temporarily assume the duties of the Chairman if for any reason the Chairman is absent from, or is otherwise unable to serve, at any COMMITTEE meeting.

Term of Office. The term of office will be for two (2) years and the appointing bodies will alternate between Bexar County and the City of San Antonio.

Section 3. Compensation:

No Committee member shall receive compensation from the COMMITTEE for service as a member of the COMMITTEE. Compensation while serving on the COMMITTEE will be a matter between a COMMITTEE member and that member's employer.

ARTICLE V. MEETINGS

Section 1. Called Meetings:

The Chairman of the COMMITTEE may call meetings as necessary and shall notify or cause to be notified all COMMITTEE members of the date, time and place of the meeting. Members shall be given as much prior notice of the meetings as possible. All meetings shall be held as open meetings under Texas law.

Section 2. Quorum:

Any number of COMMITTEE members in excess of forty percent (40%) of the total number of active voting members shall constitute a quorum for the official transaction of business. The departure of a COMMITTEE member from a meeting at which a quorum was present shall not affect such quorum.

Section 3. Minutes:

Minutes of all COMMITTEE meetings shall be recorded and copies of the minutes shall be provided to all COMMITTEE members in time to be reviewed prior to the next meeting of the COMMITTEE.

Section 4. Parliamentary Procedure:

The parliamentary rules contained in the then current **Robert's Rules of Order** shall govern COMMITTEE actions, subject to COMMITTEE bylaws, any special rules adopted by the COMMITTEE, and any rule of law.

ARTICLE IV. ROLE OF AACOG

Although the six (6) regional planning councils in Region 53 will jointly serve as administrative entities, the Alamo Area Council of Governments (AACOG) will be the primary or lead administrative agency for Plan implementation. Each council of governments retains the responsibility for appointment of COMMITTEE members from its respective region and will share in the decisions and recommendations made by the COMMITTEE. AACOG will assume the responsibilities of the lead administrative agency due to its prior and early coordination activities in the development of the Public Safety Radio Communications Plan and because of its prior relationship with the majority of local governments which will be requesting new or relinquished public safety frequencies.

AACOG shall provide certain services and/or support to the COMMITTEE as long as it is feasible and practical for AACOG to do so. AACOG shall retain the right to withdraw any or all such services and/or support when it is no longer feasible or practical to continue providing such support to the COMMITTEE. The support provided by AACOG shall include, but is not limited to:

- Providing space in AACOG offices to convene meetings of the COMMITTEE.
- Mailing meeting notices, minutes, and other materials to the COMMITTEE.
- Receiving applications for frequencies for distribution to the COMMITTEE for review and action.
- Notifying applicants of additional documentation that may be needed to support requests for frequencies.
- Recording the actions of the COMMITTEE during its meetings.

ARTICLE VII. BYLAWS REVISION

These bylaws may be revised or new bylaws adopted at any official meeting by a majority of the total COMMITTEE voting members. Notice of any proposed revisions shall be given to all members at least ten (10) days prior to the meeting.

ARTICLE VIII. BYLAWS ADOPTION

These bylaws shall be in full force and effect as such time as they have been approved by a majority vote of the COMMITTEE in a meeting at which a quorum is present.

ARTICLE IX. TRANSITION

Until official action by the appointing bodies (defined above) is taken, the existing Regional Planning Committee members and the Executive Directors of each Council of Governments or their alternate will serve as members of the COMMITTEE.

Revised on May 11, 2000